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Raulerson &
Middleton

Professional Association

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Gregory H. Smith
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RECEIVED

SEP 30 2004

September 28, 2004

OFFICES IN:
MANCHESTER
CONCORD
PORTSMOUTH

Michael Sclafani, Appeals Clerk
Water Council
c/o Department of Environmental Services, Water Division
6 Hazen Drive
P.O. Box 95
Concord, New Hampshire 03302-0095

Re: Tourrettes Trust
Administrative Order No. WD 04-012

Dear Mr. Sclafani:

This is to notify the Water Council that the appeal of Tourrettes Trust has been withdrawn based upon the withdrawal by the Department of Environmental Services of the Administrative Order No. WD 04-012 as indicated in the attached September 3, 2004 letter issued by Assistant Commissioner, Michael J. Walls.

I am submitting an original and twenty (20) copies of this letter with enclosure in accordance with the rules of the Council.

Copies of this letter are also being provided to Michael Nolin, Commissioner, and Harry T. Stewart, Water Division Director.

Respectfully submitted,

COPY
Gregory H. Smith

GHS:twf

cc with enclosure:

Michael Nolin, Commissioner
Harry T. Stewart, Director
Jennifer J. Patterson, Senior Assistant Attorney General



The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
 Commissioner



Tourettes Trust
 c/o Ian Ferguson
 333 Lee Street
 Brookline, MA 02445

**RELEASE OF RECORDATION
 FOR
 ADMINISTRATIVE ORDER
 NO. WD 04-12**

RE: Wetlands File No. 2001-626
 Lake Winnepesaukee, Wolfeboro

The Department of Environmental Services, Water Division ("DES") issued Administrative Order No. WD 04-12, dated July 2, 2004 ("the Order") to Tourettes Trust based on alleged violations of RSA 483-B for work done on the property described on Town of Wolfeboro Tax Map 227 as lot number 39 ("the Property"). Based on the agreement reached between Tourettes Trust, DES, and the Department of Justice, DES withdrew the Administrative Order and issues this Release of Recordation ("Release") effective August 30, 2004. This Release may be used to relieve any encumbrance imposed on the Property by the recordation of the Order.

The Order was recorded at the Carroll County Registry of Deeds on July 7, 2004, at Book 23, Page 641-643.

COPY

Harry P. Stewart, P.E., Director
 Water Division

COPY

Michael P. Nolin, Ass. Comm.
 Michael P. Nolin
 Commissioner

- cc: Gretchen R. Hamel, Administrator, DES Legal Unit
 Public Information Officer, DES Public Information Center
 Jennifer Patterson, Senior Asst. Attorney General, NH Dept of Justice
 ✓ Carroll County Registry of Deeds
 ✓ Wolfeboro Board of Selectmen
 ✓ Wolfeboro Conservation Commission

MAILED
 9-2-04 NLP

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
 Telephone: (603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964
 DES Web site: www.des.nh.gov



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 3, 2004


Gregory H. Smith
McLane, Graf, Raulerson & Middleton, P. A.
15 North Main Street
Concord, New Hampshire 03301-4945

RE: Tourettes Trust Administrative Order No. WD 04-12

Dear Greg:

This letter will confirm that the Department of Environmental Services has withdrawn Administrative Order No. WD 04-12 effective August 30, 2004. The enclosed release of recordation has been sent to the Carroll County Registry of Deeds for recording.

If you have any questions about this matter, please do not hesitate to contact me.

Very truly yours,

Michael J. Walls
Assistant Commissioner

MJW/gcf
Enclosure

cc: Jennifer Patterson, DOJ
Gretchen Hamel, DES
James Martin, DES
Rene Pelletier, DES